

1 Q Now there was a letter that I happened to skip over and  
2 I want to show it to you and we can go off the record  
3 while Mr. Buchanan reads this and what I'm handing him  
4 is a letter dated September 11, 1996 and it's addressed  
5 to Jeffrey D. Southmayd, Esquire and it's signed by  
6 Linda Blair. It's a ten page letter and we can go off  
7 the record while Mr. Buchanan looks at this.

8 THE REPORTER: Off the record.

9 (Off record at 10:55 a.m.)

10 THE REPORTER: On the record.

11 (On the record at 11:04 a.m.)

12 Q Mr. Buchanan, you've had a chance to look at the  
13 September 11, 1996 letter from Linda Blair to Jeffrey  
14 Southmayd?

15 A Yes.

16 Q Is this a letter that you have seen before?

17 A I may have but I do not recall it.

18 Q So I take it you wouldn't recall whether or not you saw  
19 this letter prior to executing the Asset Purchase  
20 Agreement?

21 A I don't believe so to my best recollection.

22 Q Now the letter itself references matters called  
23 petitions to deny. Did you have any understanding as  
24 to whether or not Peninsula's renewal applications for  
25 the translators were subject to petitions to deny at

1 the time you executed the Asset Purchase Agreement?

2 A Yes I believe there -- I was aware that the  
3 competition, if I can use that term?

4 Q You can use whatever term you want.

5 A The competition was raising questions about these  
6 translators to begin with and that's what resulted in  
7 the Asset Purchase -- or into the divestiture notice  
8 and what we were trying to do was just comply as best  
9 as possible with that initial mandate. But it seemed  
10 that at every turn, no matter what we did, there was  
11 always a denial in place or one shortly coming forth  
12 from the competition who didn't want this to occur.

13 Q Well now from a timing standpoint, this document from  
14 the Commission takes places approximately a month and a  
15 half to two months before the execution of the Asset  
16 Purchase Agreement so at this stage all we're talking  
17 about is renewal applications have been filed by  
18 Peninsula and petitions to deny those renewal  
19 applications have been filed by the competition,  
20 correct?

21 A Yes, apparently.

22 Q Now did you have any discussion with Mr. Becker as to  
23 whether or not the presence of these petitions to deny  
24 was going to have any impact on how quickly or how  
25 slowly the FCC was going to be able to process the sale

1           proposal that you had?

2       A     I was aware that it could have some impact but I did  
3           not believe it would be as long as it was. We were  
4           just trying to comply with the order and again, at  
5           every turn, it seemed that there was an objection at  
6           every turn whether we, you know, to even comply.

7       Q     Okay. Now I may have asked this before and if I did I  
8           apologize but I just don't remember what your answer  
9           was and that is with respect to the valuation of the  
10          translators themselves as to whether or not any of the  
11          translators were deemed to be more or less valuable  
12          than the others.

13      A     I didn't deem them more valuable from each other only  
14          in the aspect of some were able to generate more income  
15          than others, from an income perspective, Seward and  
16          Kodiak being the two major dominant ones in terms of  
17          revenue generation because of where they were in the  
18          demographics that we discussed earlier.

19      Q     And in terms of the revenues, were those revenues going  
20          to be offset by costs that were either greater or  
21          lesser at the Seward and Kodiak locations than for the  
22          others?

23      A     To some degree but not much.

24      Q     Now you indicated that you had to, I guess, come up to  
25          speed on what an FM translator was. At about the time

1       you executed the Asset Purchase Agreement, if you can  
2       place yourself back in time and give us your  
3       understanding of what a translator was and what it was  
4       supposed to do.

5       A   Translators were, and I'm going to interpret this with  
6       the Wrangell exception to Alaska, because of the need  
7       for communications, the Commission was trying to  
8       encourage the development and -- for communications in  
9       the remote areas of Alaska and the opportunities to  
10      meet some of the challenges of the terrain in Alaska by  
11      allowing translators to rebroadcast the primary  
12      stations into communities that were needing services.  
13      The public service was -- has always been a part of Mr.  
14      Becker's goal and expansion and the development of  
15      these translators when we saw the opportunity to meet  
16      the public need and that's one of the reasons I was so  
17      impressed about how he used the opportunities available  
18      to him and the technology available to develop these  
19      stations and to be the first on the scene to bring  
20      services to the public. And I honored him for that.

21      Q   Now the document that I want to show you next is dated  
22      -- it's dated as received at the Commission on October  
23      25, 1996 and it's in the matter of Peninsula  
24      Communications, Inc. and it is titled Opposition to  
25      Application for Review and if you could please take a

1 couple of moments to look at this. We can go off the  
2 record.

3 THE REPORTER: Off the record.

4 (Off record at 11:10 a.m.)

5 THE REPORTER: On the record.

6 (On record at 11:15 a.m.)

7 Q Mr. Buchanan, with respect to the document that you  
8 looked at, the Opposition to Application for Review,  
9 noticing that the date of filing is October 25, 1996,  
10 which is approximately two weeks before -- ten days to  
11 two weeks before you executed the Asset Purchase  
12 Agreement, do you have any recollection as to whether  
13 or not you saw this document prior to its filing with  
14 the Commission?

15 A I do not recall seeing that before filing.

16 Q Do you recall seeing it after filing?

17 A I may have a copy of it but I do not recall it.

18 Q So it would be fair to say that you had no role  
19 whatsoever in the preparation or filing of this  
20 document?

21 A That's correct.

22 Q Now we've been talking about the Commission's  
23 translator rules to some extent and the document that I  
24 want to show you next is filed Report and Order in MM  
25 Docket 88-140 and it was released by the Commission on

1 December 4, 1990. It happens to be a rather lengthy  
2 document, in fact, it's about 35, 36 pages in length so  
3 I do not ask nor do I expect you to read through,  
4 memorize or anything else any part of this. My basic  
5 question is did you have any knowledge that this  
6 document existed prior to the time you executed the  
7 Asset Purchase Agreement?

8 Q Back on the record. We never left. Okay, very good.  
9 So my question is did you -- do you have any  
10 recollection having read this prior to the execution of  
11 the Asset Purchase Agreement?

12 A No I do not recall reading that at all.

13 Q Do you have any recollection that you read this  
14 document anytime subsequent to the execution of the  
15 Asset Purchase Agreement?

16 A No I don't believe so.

17 Q And the next document I'm handing you is again,  
18 somewhat lengthy although nowhere near as long as the  
19 previous document and this is styled Memorandum Opinion  
20 and Order and again it relates to MM Docket Number 88-  
21 140. It was a document released by the Commission on  
22 July 28, 1993 and I think for purposes of my questions  
23 it will be sufficient if you read to yourself the first  
24 paragraph and then you can skim the rest of it as you  
25 wish before I ask any further questions and we can go

1 off the record.

2 THE REPORTER: Off the record.

3 (Off record at 11:20 a.m.)

4 THE REPORTER: On the record.

5 (On record at 11:22 a.m.)

6 Q Mr. Buchanan, did you have an opportunity to read, or  
7 did you read the Memorandum Opinion and Order released  
8 July 28, 1993 before you executed the Asset Purchase  
9 Agreement?

10 A No I did not.

11 Q Do you recall reading it at any time subsequent to  
12 that?

13 A No I do not.

14 Q The next document I'm handing you is -- it bears  
15 several dates. One on the first page, it reflects that  
16 the FCC received this document at its Melon Bank  
17 November 14, 1996 and as a consequence it bears a file  
18 number of BALFT-961114TZ. And to give you an  
19 explanation of what all that means, the BALFT refers to  
20 broadcast of assignment of license of an FM translator  
21 and the numbers 961114 simply reflect when it was  
22 officially received at the FCC. That is November 14,  
23 1996. And the TZ is totally arbitrary and simply has  
24 to do with when this document was received at the  
25 Commission. And this document pertains to an

1 assignment of license for FM translator K285EF Kenai,  
2 Alaska from Peninsula to Coastal Broadcast  
3 Communications, Inc. and I ask you to take a brief look  
4 at it because it also includes the Asset Purchase  
5 Agreement which we've talked about at length and at  
6 which I don't intend to ask any further questions on.  
7 So we can go off the record a minute.

8 THE REPORTER: Off the record.

9 (Off record at 11:25 a.m.)

10 THE REPORTER: On the record.

11 (On record at 11:25 a.m.)

12 Q Mr. Buchanan, is this a document that you have seen  
13 before today?

14 A Yes I have.

15 Q And if you could just paraphrase or state what your  
16 understanding of this document is?

17 A Basically it was the filing for the sales. This was  
18 one of the specific one for Kenai but there were others  
19 also involved in the process for the sale of the  
20 translators using -- with the asset agreement which has  
21 my signature and the application which has my signature  
22 as well.

23 Q And when you say that the application has your  
24 signature I'm now looking at what is noted at FCC 345  
25 Page 4 and there is a reference to, signed and dated



1 November 4, 1996, Coastal Broadcast Communications,  
2 Inc. and there's a signature there. Is that your  
3 signature?

4 A Yes it is.

5 Q And two pages later again reflecting a date of November  
6 4, 1996, there is another signature, is that yours?

7 A Yes.

8 Q And that appears on FCC Form 345 at Page 6 it appears.  
9 Now as I understand it and I believe you've more or  
10 less confirmed it, this document was one of nine in  
11 total, virtually identical documents that were filed in  
12 connection with the effort of Peninsula to assign the  
13 licenses of the nine translator stations to Coastal,  
14 correct?

15 A That is correct.

16 Q All these famous last words in terms of saying I wasn't  
17 going to ask you any more questions about the Asset  
18 Purchase Agreement. I forgot a couple. The Asset  
19 Purchase Agreement had a financing provision to it did  
20 it not?

21 A Yes it did.

22 Q And that financing involved Peninsula essentially  
23 giving a loan, if you will, to Coastal in order to  
24 purchase that stations and by that I mean that you  
25 didn't have to pay the \$100,000 for the translators up

1 front. You were going to pay it to Peninsula over  
2 time, correct?

3 A That is correct.

4 Q And do you know how it was determined that the interest  
5 rate was going to be at six percent.....

6 Q .....which is what is reflected in the Asset Purchase  
7 Agreement?

8 A That is what Mr. Becker felt was a reasonable rate for  
9 the extension of that and it was also to expedite  
10 things and move thing along. Again, we're under the  
11 crunch here to meet deadlines in days. And yes, I'm  
12 aware of the six percent and \$100,000 was the  
13 agreement.

14 Q Was there any conversation between you and Mr. Becker  
15 as to whether it was appropriate for Peninsula to be  
16 the financier, if you will, of the transaction?

17 A There was no discussion. There was nothing that I  
18 understood in the Rules and Regulations that prohibited  
19 that. It was just the matter of a sale that needed to  
20 be done and this is how it was executed.

21 Q Now, what I would like you to do at this point is refer  
22 to Section 74.1232 and if you could just read to  
23 yourself Subsections D, E and H. We can go off the  
24 record.

25 THE REPORTER: Off record.

1 (Off record at 11:29 a.m.)

2 THE REPORTER: On record.

3 (On record at 11:31 a.m.)

4 Q Now first of all with respect to Subsection D of  
5 74.1232, did you have an opportunity to read that prior  
6 to the time you executed the Asset Purchase Agreement?

7 A Yes I believe I did.

8 Q And if you could -- if you could paraphrase what your  
9 understanding -- or give us what your understanding of  
10 the rule is.

11 A My understanding was that I would have to -- I was a  
12 separate entity coming in to purchase these translators  
13 and it was my full responsibility to assume this  
14 responsibility of those without any input from the  
15 parent station and that's why actually -- specifically  
16 why Coastal was incorporated, to provide that  
17 separation and that entity from any -- any connection  
18 whatsoever with Peninsula Broadcast.

19 Q Now with respect to Subsection E of what understanding,  
20 if any, first of all did -- had you read Subsection E  
21 prior to executing the Asset Purchase Agreement?

22 A I believe I did.

23 Q And what what understanding, if any, did you have as to  
24 what that section meant?

25 A The key is support may not be received from any person

1 or entity having an interest whatsoever or any  
2 connection with the primary FM. And it's talking about  
3 my qualifications to be totally separate and that is  
4 indeed what my intent was and that's how it would be.

5 Q Now if you would look at Subsection H and whether or  
6 not you had read that prior to the execution of the  
7 Asset Purchase Agreement.

8 A I believe I have on that statement.

9 Q And what understanding did you have as to what that  
10 rule was trying to do?

11 A We were just talking about the possibility of  
12 termination I guess, at that point is what the  
13 paragraph is referring to.

14 Q Termination of what?

15 A Of -- of -- of authorization unless there were certain  
16 conditions that were not given the extension. In other  
17 words, let's see how I can put it. Circumstances in  
18 communities change and therefore I believe the  
19 Commission was allowing some -- some right to make  
20 decisions at that point in time.

21 Q So at least in the context of this rule, you understood  
22 that there was the possibility that the Commission  
23 could simply terminate a translator license if the  
24 circumstances reflected in that rule came to pass.

25 A Yes and I -- I would say that this is the probably this

1 is the paragraph least in my recollection of reading.  
2 But it is there and I'm sure as I read it with all the  
3 rules that I was coming up to speed with, you know,  
4 that's -- it may not have caught my attention as much  
5 as others have. I was more concerned with the  
6 operations and especially the entity group. That's  
7 what we were trying to really nail down, the  
8 separateness and again the pressure of fulfilling this  
9 sale.

10 Q Now with respect to the application that we just got  
11 finished looking at and that we understood to be one of  
12 nine virtually identical applications, did -- what  
13 role, if any, did you have in the preparation of the  
14 application itself?

15 A Minimal. Basically it was generated by the seller with  
16 legal counsel of that corporation. I looked them over,  
17 verified them before signing. And again it was based  
18 upon the Asset Purchase Agreement that was attached.

19 Q Would it be your recollection that the application  
20 itself was physically prepared by counsel for  
21 Peninsula?

22 A Yes, I believe -- yes it was prepared by counsel, or  
23 someone at Peninsula, I don't know who did the typing  
24 on it.

25 Q But conversely, it would be your recollection that

1           neither you nor Coastal as an entity physically  
2           prepared the application?

3       A     That is correct. It was part of the sale and since  
4           Peninsula was selling it, they were the ones generating  
5           it and everything was run through counsel.

6       Q     Now the next letter I want to show you is dated June  
7           17, 1997 and it's addressed to three entities, one of  
8           which is Coastal Broadcast Communications, Inc.. It's  
9           signed by Linda Blair and why don't we go off the  
10          record while Mr. Buchanan looks at it.

11       THE REPORTER: Off the record

12       (Off record at 11:37 a.m.)

13       THE REPORTER: On the record.

14       (On record at 11:39 a.m.)

15       Q     And Mr. Buchanan, do you recall receiving a copy of  
16           this letter at or about the date reflected on the front  
17           page?

18       A     Yes I do.

19       Q     What, if anything, do you recall doing as a consequence  
20           of receiving this letter?

21       A     Well I first questioned it in the sense that I didn't  
22           see anything in the rules and regs that dictated as to  
23           how we had to make an arrangement for sale and the  
24           price and how it to be done. And other than the fact  
25           that petitioners contested it, which didn't surprise

1 me, because I felt their attempt was to stop this from  
2 happening anyway no matter what we did. Contested the  
3 interest rate, contested the way it was done, and we  
4 were trying to be in compliance. So it was a setback  
5 and looked and say, wow, it was a shock when I got it.

6 Q But by my question and what I'll do is I will show you  
7 something and perhaps this will move this along and  
8 help you a bit. I'm going to show you a document that  
9 is styled Application for Transfer of Control. It  
10 bears a file number of 970701TX. Again this concerns  
11 the K285EF translator for Kenai and if you would please  
12 take a brief look at it. We can go off the record.

13 THE REPORTER: Off the record.

14 (Off record at 11:40 a.m.)

15 THE REPORTER: On the record.

16 Q Now after having looked at the document does this help  
17 you in terms of what actions you took after receiving  
18 the June 17, 1997 letter from Linda Blair?

19 A Yes.

20 Q And what is it that you did?

21 A In order to again be in compliance and expedite the  
22 sale we rearranged, since that was the point of  
23 conflict, was the fact that the arrangement for payment  
24 originally being objected to, we changed it to make it  
25 come into compliance and that the sale price would be

1           paid at the time of the sale.

2       Q     And so this required some action on your part, correct?

3       A     It required that I immediately try to come up with  
4           financing different than what was arranged originally  
5           to be in compliance and to speed that along.

6       Q     What arrangements, if any, did you make?

7       A     I sought out through different agencies of trying to  
8           get a loan. Basically what I pursued was a small  
9           business administration loan through the Bank of  
10          America and applied for a loan so that I could comply  
11          with this new order to pay cash at the sale time.

12      Q     Do you happen to have that loan application with you?

13      A     Yes I do.

14      Q     Is that something that is readily available at this  
15          point?

16      A     I have it right here.

17      Q     We can go off the record.

18          THE REPORTER: Off the record.

19          (Off record at 11:45 a.m.)

20          THE REPORTER: On the record.

21          (On record at 11:45 a.m.)

22      Q     If you would please why don't you go through that and  
23          let us know section by section what it is you're  
24          looking at and then we can go from there.

25      A     Okay, the original is intent to request for application



1 to be made to the Bank of America, loan services, 550  
2 West Seventh Avenue, Anchorage, with the attention of  
3 Mr. John Howe (ph) who was a corporate loan officer.  
4 There's a letter of introduction with an outline of the  
5 context of this folder. This is what the bank was  
6 requiring me to produce in order for them to grant a  
7 loan. It was an actual application of the loan  
8 paperwork itself. There are resumes that were required  
9 of both myself and my wife, the corporate entities.  
10 They also required that I have a corporate business  
11 plan so I had to develop a business operation plan.  
12 Q Had you developed one prior to this point in time?  
13 A Not to this detail. This -- I had basically sketched  
14 things out in terms of, you know, this actually made me  
15 do my homework in terms of putting it on paper more so  
16 than I had in terms of estimates, exactly what the plan  
17 was to purchase it. Marketing exhibits. There were a  
18 whole incorporation narratives, background into the  
19 whole situation. They wanted to know concerning the  
20 applications, if this was workable or not. The bank  
21 had to see that it was workable so I have documentation  
22 in here concerning customer master lists that were  
23 provided to me by Coast -- by Peninsula Communications.  
24 Their master list showing the sales, agencies that they  
25 used to base their -- that they used for sales and this

1 was a justification that these translators were  
2 workable and that this was a valid operation from  
3 Peninsula to Coastal. There are research papers  
4 showing the documentation of KPNK-WVV in terms of  
5 surveys of their ratings to give validation to the  
6 station's validity. I have projected plans, forecast  
7 of profit and loss for the entire year of 1998, on  
8 months based upon all the expenses that were to be put  
9 in, through the year 1998. I had to do a pro forma  
10 startup balance sheet. There's a business debt  
11 schedule, profit and loss statements, again all the way  
12 through 1999, should the sales -- these were  
13 projections based upon -- the criteria is all provided  
14 here.

15 Q I want to stop you here for just a second. With  
16 respect to the documents reflecting revenues and  
17 projected costs, I take it these are documents that  
18 were supplied to you in large part by Peninsula?

19 A Yes, specifically the ones by this list here is the  
20 listing of the customer master list from Peninsula  
21 showing who -- it supports the evidence that this was a  
22 valid station for the bank to come in and do an  
23 assessment of -- of -- is this a fly by night operation  
24 or is it a valid operation. This is proof of the  
25 documentation that we had, a track record of very

1 active customer service in the areas provided. The  
2 other things that the bank were interested in is  
3 personal finance statements of my wife and myself up to  
4 that point. They wanted to know the legal entities so  
5 I have copies of our -- of the incorporation showing  
6 that we were legitimate as Coastal Broadcast  
7 Communications. There's copies of the articles and  
8 bylaws here. Asset -- there's a copy of the Asset  
9 Purchase Agreement. They needed to look at it and see  
10 what was being itemized and see what was actually for  
11 sale. And then it's just a summary and conclusion with  
12 request that the -- of the paperwork and everything to  
13 document the entire loan. And in the end here is a  
14 copy of the letter which says Mr. Buchanan we are  
15 pleased to advise you that your request for a small  
16 business loan has been tentatively approved by the Bank  
17 of America, FSB, subject to approval by the SBA and  
18 following are the terms and conditions of approval and  
19 then they wanted some other things. But it shows the  
20 loan that I was taking out here to meet the criteria  
21 that they had.

22 Q Very good. With respect to the Kodiak stations, given  
23 the timing of this proposal which I understand to have  
24 occurred within a very brief window between June 17,  
25 1997 and July 1, 1997, correct?

1 A Yes, we were under a time frame here as usual.

2 Q As usual.

3 A Yeah. And the -- and this was part of the difficulty I  
4 must admit too because being so remote and removed from  
5 Washington, we would get a notice that this had to be  
6 in by such and such a date and we were hustling. I'm  
7 glad I was unemployed at that time because I spent  
8 hours trying to meet the deadlines, again to be in  
9 compliance.

10 Q With respect to Kodiak, it's my understanding that just  
11 about the time the proposal was prepared, the Kodiak  
12 translators had actually lost their ability to receive  
13 the signals of KWVU-FM and KPEN-FM. Does that ring any  
14 bells?

15 A Because of the parabolic antenna, that came down.

16 Q Yes sir.

17 A Yes.

18 Q And do you know whether or not that information was  
19 reflected in your application?

20 A No it was not because I believe at that -- shortly  
21 because the time frame being so close I believe that it  
22 was capable of being restored again for a period of  
23 time using the yagi's. Not as good as service but it  
24 was workable.

25 Q And with respect to Seward, did you have any

1           understanding as to whether or not the alternative  
2           signal delivery method, that is the satellite method  
3           that was being used to send the signals from the  
4           primary stations to the two Seward translators, whether  
5           that method was immutable in the sense that it was  
6           something that was always going to be allowed to exist?

7       A     Yes, that was my understanding of it. That would  
8           always be allowed.

9       Q     Now one of the things, because we had asked that you  
10           produce this, and you have done so, this is something  
11           that we're going to want to photocopy before we leave  
12           here. Now in terms of the application that was filed,  
13           or the applications, because this was one of nine  
14           identical applications filed on July 1. What, if any,  
15           role did Coastal have in the physical preparation of  
16           the application itself?

17      A     Again, that was done by the seller to be channeled  
18           through counsel for the sale and I read it, agreed, and  
19           signed.

20      Q     And by that you are referring to the signature that  
21           appears on Page 7 of the application form?

22      A     Correct.

23      Q     And that reflects a date of June 27, 1997?

24      A     That's correct.

25      Q     And there is an exhibit attached to the application and

1 if you could briefly just tell us what this exhibit is?

2 A It's the exhibit that basically states that there was a  
3 change in the original method of closing the sale and  
4 that it would be done by cash as opposed to the  
5 original one of Mr. Becker using the loan.

6 Q And to that end, there's a document that appears as  
7 Asset Purchase Agreement amendment and it bears  
8 signatures on two different identical pages, it  
9 appears, and if you could please identify those  
10 signatures.

11 A Yes, the first one is my signature and the second one  
12 is Mr. Becker's signature.

13 Q Now I had -- we had talked briefly about the timing of  
14 the preparation of the application relative to the  
15 Kodiak situation and I want to place in front of you a  
16 document that reflects a filing at the Commission on  
17 June 16, 1997 bearing a file number of BPFT-970616TL  
18 and if you could please just take a moment to look  
19 through it. We'll go through specific parts of it so  
20 at this point all I would like you to do is just  
21 familiarize yourself with what the document is rather  
22 than studying any particular part of it. We can go off  
23 the record.

24 THE REPORTER: Off the record.

25 (Off record at 11:55 a.m.)

1 THE REPORTER: On the record.

2 (On record at 11:56 a.m.)

3 Q Mr. Buchanan, first of all, do you recognize the  
4 document that I just handed you?

5 A Yes I do.

6 Q And could you give me some idea of what it is.

7 A It was a request by Coastal to the Commission to do a  
8 change of delivery signal -- delivery to the Kodiak  
9 translators.

10 Q And along those lines, it's my understanding that there  
11 were two such documents; one -- or because there two  
12 different Kodiak translators and they both had  
13 basically the same problem.

14 A That's correct.

15 Q Now the application itself has a signature that appears  
16 on Page 6 of the application form and I'd like you to  
17 identify the signature.

18 A That is my signature.

19 Q And the date?

20 A Dated June 2, 1997.

21 Q And also what appears as, it looks like Page 9, there  
22 is also a signature that appears at the bottom.

23 A Yes, that is my signature as of June 2, 1997.

24 Q Now in terms of the application form itself, what role,  
25 if any, did Coastal have in filling out the

1 application?

2 A Just went over the information with Mr. Becker. He's  
3 the engineer that knew specifically the details of that  
4 site since he installed it and we had a discussion as  
5 to whether he should submit for the application since  
6 the stations were still his or whether, because it was  
7 -- we were in the process of -- of selling and  
8 transferring over we felt it deemable and more  
9 expeditious that I would be the one to request the  
10 change since we felt the sale was imminent at that  
11 point in time. Again, for time frame to get things  
12 back up to speed and we wanted to make that change so  
13 we felt it was -- it would be done under Coastal.

14 Q My question though is a more narrow one and that is  
15 it's mechanical in a sense. Who actually filled out  
16 the information that appears on the application itself?

17 A Either counsel or Peninsula.

18 Q You personally did not?

19 A I personally did not. I looked over all the things, a  
20 lot of these applications were new -- not new, they  
21 were fairly new and it was more expeditious because of  
22 time, there was staff available and they basically,  
23 again, had the paperwork. They were going to do it  
24 themselves and then after the paperwork was completed  
25 we realized that it might be better for Coastal to



1           actually pursue it.

2       Q     So in terms of having Coastal be the applicant rather  
3           than Peninsula, that was a consequence of a  
4           conversation that you had with Mr. Becker?

5       A     Yes, it was a matter of trying to figure out who, you  
6           know, who should do it, who could do it the quickest  
7           and be the most expeditious in the long term since  
8           where we were right in the middle of, you know, of  
9           imminent sale and so we felt that it would probably be  
10          more expeditious for me to sign and do the -- to submit  
11          it.

12      Q     Now do you happen to know whether or not a copy of this  
13           application or its companion application for the other  
14           Kodiak translator was sent to the licensee of the full  
15           power stations in Kodak that had filed petitions to  
16           deny against the Peninsula renewal applications?

17      A     I do not know.

18      Q     So far as you know -- so far as you remember though you  
19           personally did not send a copy.....

20      A     No, no, I didn't.

21      Q     .....to that company?

22      A     No, I did not. I felt again, this was going through  
23           counsel from that side. It was just whether I was  
24           going to expedite it or Mr. Becker and we just ran it  
25           through counsel and had it delivered to the Commission.